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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,
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11 Plaintiff,

Case No. CR09-283-RSM

12 v.

13 GERARDO S. BLANCAS,
14 Defendant.

**PROPOSED FINDINGS OF FACT
AND DETERMINATION AS TO
ALLEGED VIOLATIONS OF
SUPERVISED RELEASE**

15 **INTRODUCTION**

16 I conducted a hearing on alleged violations of supervised release in this case on September
17 21, 2011. The defendant appeared pursuant to a warrant issued in this case. The United States
18 was represented by Justin Arnold, and defendant was represented by Ralph Hurvitz. Also
19 present was U.S. Probation Officer Sara Moore. The proceedings were digitally recorded.

20 **SENTENCE AND PRIOR ACTION**

21 Defendant was sentenced on January 15, 2010, by the Honorable Ricardo S. Martinez for
22 Aggravated Identity Theft. He received 24 months of detention and 1 year of supervised release.

23 **PRESENTLY ALLEGED VIOLATIONS**

In a petition dated June 27, 2011, U.S. Probation Officer Sara Moore alleged that defendant
violated the following conditions of supervised release:

1. Failing to report for urinalysis testing on June 16, 2011, and June 17, 2011, in violation of the special condition that he participate in a program for treatment of narcotic addiction, drug dependency, or substance abuse, which may include testing.

2. Failing to notify the probation office at least 10 days prior to any change in residence, in violation of standard condition 6.

FINDINGS FOLLOWING EVIDENTIARY HEARING

Defendant admitted the above violations, waived any hearing as to whether they occurred, and was informed the matter would be set for a disposition hearing October 7, 2011 at 3:00 p.m. before District Judge Ricardo S. Martinez.

RECOMMENDED FINDINGS AND CONCLUSIONS

Based upon the foregoing, I recommend the court find that defendant has violated the conditions of his supervised release as alleged above, and conduct a disposition hearing.

DATED this 21st day of September, 2011.

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BRIAN A. TSUCHIDA
United States Magistrate Judge